

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

02/05/2007 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CIVIL NO. 04-00671HG-LEK

CASE NAME: Raymond Ware vs. Sidney Hayakawa, et al.

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

JUDGE: Leslie E. Kobayashi

REPORTER:

DATE: 02/05/2007

TIME:

COURT ACTION: EO: DISCOVERY ORDER: This matter came before the Court by way of a letter brief submitted pursuant to Local Rule ("LR") 37.1, and involves Plaintiff Raymond Ware's ("Plaintiff") request that this Court "order production of documents, the termination letter to Mr. Kamahele, any decisions regarding Mr. Kamahele's termination, any documents relating to his termination, and the court reporter's name, address, phone number to order the recent deposition of Mr. Kamahele by TSA's agency Attorney, and Mr. Kamahele's EEO and MSPB complaint." [2/2/07 Letter at 2.] On February 2, 2007, Plaintiff submitted his letter brief. Defendant Michael Cherthoff, Secretary of the Department of Homeland Security ("Defendant"), did not file a letter brief as he does not oppose Plaintiff's request.

In relevant part, Rule 26(b) provides:

(b) Discovery Scope and Limits. Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:

(1) In General. Parties may obtain discovery regarding any matter, not privileged, that is relevant to the claim or defense of any party, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter. For good cause, the court may order discovery of any matter relevant to the subject matter involved in the action. Relevant information need not be admissible at the trial if the

discovery appears reasonably calculated to lead to the discovery of admissible evidence. All discovery is subject to the limitations imposed by Rule 26(b)(2)(i), (ii), and (iii).

Fed. R. Civ. P. 26(b)(1).

After careful consideration of Plaintiff's letter brief and the relevant legal authority, this Court finds that the information Plaintiff seeks is relevant to the claims and defenses in this action. This Court therefore GRANTS Plaintiff's discovery request. Defendant shall produce the requested information by February 22, 2007.

IT IS SO ORDERED.

Cc: all counsel

Submitted by: Warren N. Nakamura, Courtroom Manager